# UNITED STATES DISTRICT COURT

WESTERN		District of	ARKANSAS	
UNITED STATES OF AMERICA V.		JUDGMENT I	N A CRIMINAL CASE	
BOBBY I	LEE NUTT	Case Number:	2:06CR20050-001	
		USM Number:	07859-010	
		Jack Schisler		
THE DEFENDANT:		Defendant's Attorney		
X pleaded guilty to count(s)	One (1) and Two (2) of the	e Superseding Indictment on F	February 20, 2007	
pleaded nolo contendere the which was accepted by the				
was found guilty on coun after a plea of not guilty.	t(s)			
The defendant is adjudicated	guilty of these offenses:			
Title & Section 18 U.S.C. §§ 922(g)(1) and 924(a)(2)	Nature of Offense Felon in Possession of a Fire	arm	Offense Ended 06/08/2006	Count 1
21 U.S.C. § 841(a)(1) and (b)(1)(C)	Distribution of Marijuana, a	Schedule I Controlled Substar	nce 06/08/2006	2
	tenced as provided in pages 2 th Sentencing Guidelines were co		s judgment. The sentence is impo	osed within the
☐ The defendant has been for	ound not guilty on count(s)			
Count(s)	is	are dismissed on the r	notion of the United States.	
It is ordered that the or mailing address until all fir the defendant must notify the	e defendant must notify the Unines, restitution, costs, and specie court and United States attorn	ted States attorney for this distral assessments imposed by this ney of material changes in eco  May 17, 2007	rict within 30 days of any change judgment are fully paid. If ordere nomic circumstances.	of name, residence, ed to pay restitution,
		Date of Imposition of Ju	udgment	
		/s/ Robert T. Daws Signature of Judge	on	
		Honorable Robert Name and Title of Judge	<u>Γ. Dawson, United States District</u> e	i Judge
		May 17, 2007 Date		

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DEFENDANT:	BOBBY LEE NUTT
CASE NUMBER:	2:06CR20050-001

#### **IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a		
total term of: forty six (46) months on each count, terms to run concurrently with any undischarged state time remaining.		
The defendant has been in Federal Custody since January 12, 2007.		
X The court makes the following recommendations to the Bureau of Prisons: The defendant complete any alcohol or drug program offered at the Bureau of Prisons.		
X The defendant is remanded to the custody of the United States Marshal.		
☐ The defendant shall surrender to the United States Marshal for this district:		
□ a □ a.m. □ p.m. on		
as notified by the United States Marshal.		
☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:		
$\square$ before 2 p.m. on		
as notified by the United States Marshal.		
as notified by the Probation or Pretrial Services Office.		
RETURN		
I have executed this judgment as follows:		
Defendant delivered on to		
, with a certified copy of this judgment.		
UNITED STATES MARSHAL		
D		
By		

Sheet 3 — Supervised Release

AO 245B

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DEFENDANT: BOBBY LEE NUTT CASE NUMBER: 2:06CR20050-001

#### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : three (3) years on each count to run concurrent.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- X The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- X The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

#### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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Sheet 3C — Supervised Release

AO 245B

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# SPECIAL CONDITIONS OF SUPERVISION

- 1. In addition to the mandatory drug testing requirements, the defendant shall comply with any referral deemed appropriate by the U.S. Probation Officer for in-patient or out-patient evaluation, treatment, counseling or testing for substance abuse, including urinalysis for testing purposes.
- 2. The defendant shall submit his person, residence, place of employment, and vehicle to a search conducted by the United States Probation Office at a reasonable time and in a reasonable manner based upon reasonable suspicion of evidence of violation of any condition of supervised release. The defendant shall warn any other residents that their premises may be subject to search pursuant to this condition. Failure to submit to a search may be grounds for revocation.

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### **CRIMINAL MONETARY PENALTIES**

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The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

тот	TALS	* \frac{\text{Assessment}}{200.00}	\$	<u>Fine</u> 2,000.00	Restitution  \$ - 0 -	
		nation of restitution is determination.	eferred until A	.n Amended Judgment i	n a Criminal Case (AO 245C) will be entered	ed
	The defenda	ant must make restitution	ı (including community re	estitution) to the following	g payees in the amount listed below.	
	If the defend the priority before the U	dant makes a partial pay order or percentage pay Inited States is paid.	ment, each payee shall rec ment column below. How	eive an approximately provever, pursuant to 18 U.S	oportioned payment, unless specified otherwise.C. § 3664(i), all nonfederal victims must be p	in aid
Nam	ne of Payee		Total Loss*	Restitution Orde	ered Priority or Percentage	
тот	TALS	\$	0_	\$		
	Restitution	amount ordered pursua	nt to plea agreement \$ _		<u> </u>	
	fifteenth da	ny after the date of the ju		.S.C. § 3612(f). All of th	the restitution or fine is paid in full before the ne payment options on Sheet 6 may be subject	
X	The court of	determined that the defer	ndant does not have the ab	oility to pay interest and in	t is ordered that:	
	X the int	erest requirement is wai	ved for the X fine	restitution.		
	☐ the int	erest requirement for the	e 🗌 fine 🗌 resti	tution is modified as follo	ows:	

<sup>\*</sup> Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: BOBBY LEE NUTT CASE NUMBER: 2:06CR20050-001

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# **SCHEDULE OF PAYMENTS**

Hav	ing a	ssessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:		
A	X	Lump sum payment of \$ _2,200.00 due immediately, balance due		
В		Payment to begin immediately (may be combined with C, D, or F below); or		
C		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or		
D		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or		
E		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or		
F	X	Special instructions regarding the payment of criminal monetary penalties:		
		If not paid immediately, any unpaid financial penalty imposed shall be paid during the period of incarceration at a rate of not less than \$25.00 quarterly, or 10% of the defendant's quarterly earnings, whichever is greater. After incarceration, any unpaid financial penalty shall become a special condition of supervised release and may be paid in monthly installments of not less than 10% of the defendant's net monthly household income, but in no case less than \$50.00 per month, with the entire balance to be paid in full one month prior to the termination of supervised release.		
Unle imp Res	ess th rison ponsi	the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial ibility Program, are made to the clerk of the court.		
The	defe	ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.		
	Joir	nt and Several		
		Fendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, corresponding payee, if appropriate.		
	The	e defendant shall pay the cost of prosecution.		
	The	The defendant shall pay the following court cost(s):		
	The	defendant shall forfeit the defendant's interest in the following property to the United States:		

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.